

032404
18370Please type a plus sign (+) inside this box

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **END-5294**

First Inventor: Mark Tsonton et al.

Title: METHOD OF FORMING A BIOPSY DEVICE

I hereby certify that this correspondence is being deposited today with the United States Postal Service as Express Mail - Post Office to Addressee in an envelope addressed to: Assistant Commissioner for Patents, Box-Patent Application, Washington, DC 20231.

Name: *Kimberly M. Moses*

Kimberly M. Moses

Date: *3-24-04*

March 24, 2004

O
1018080
1018080
1018080Express Mail Label No. **EU923390357US****APPLICATION ELEMENTS**

See MPEP Chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17) *(submit an original and a duplicate for fee processing)*
2. Applicant claims small entity status.
3. Specification [Total Pages 26] *(Preferred arrangement set forth below)*
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 USC 113) [Total Sheets 11]
5. Oath or Declaration [Total Pages 3]
 - a. Un-Executed Copy
 - b. Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional with Box 18 completed)*
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: U.S. Patent and Trademark Office
2011 South Clark Place Customer Window
Mail Stop: Patent Applications
Crystal Plaza Two, Lobby Rm. 1B03
Arlington, Virginia 22202

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney *(when there is an assignee)*
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Request and Certifications under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Application Cover Sheet w/Express Mail Certification

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

[] Continuation [] Divisional [] Continuation-in-Part (CIP) of prior application No.: , filed .

Prior application information: Examiner Group Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label **000027777** or Correspondence Address below

Name: Philip S. Johnson, Esq.

Address: Johnson & Johnson, One Johnson & Johnson Plaza, New Brunswick, NJ 08933-7003 USA

20. TELEPHONE CONTACT: Please direct all telephone calls or facsimiles to: Gerry S. Gressel
Telephone: (513) 337-3535 Fax: (513) 337-8489**21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME	Gerry S. Gressel	Reg. No. 34,342
SIGNATURE	<i>Gerry S. Gressel</i>	
DATE	March 24, 2004	

		<i>Complete if Known</i>	
Application Number			
Filing Date	March 24, 2004		
First Named Inventor	Mark Tsonton et al.		
Group Art Unit			
Examiner Name			
Attorney Docket Number	END-5294		

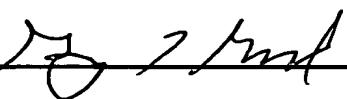
FEE CALCULATION

CLAIMS AS FILED

(1)	(2)	(3)	(4)	(5)
FOR:	NUMBER Filed	Total EXTRA	RATE	BASIC FEE \$770.00
TOTAL CLAIMS	20 + 0 = 15	0	x 18.00	\$ 0.00
INDEPENDENT CLAIMS	3 + 0 = 3	0	x 86.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS	<input type="checkbox"/>	N/A	X 280.00	
			TOTAL FEES	\$770.00

METHOD OF PAYMENT

- Please charge Deposit Account No. 10-0750/END-5294/GSG in the amount of \$770.00
- The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750/END-5294/GSG. **One Original and 2 copies of this sheet are enclosed.**

SUBMITTED BY:		<i>Complete (if applicable)</i>
Typed or Printed Name	Gerry S. Gressel	Reg. No. 34,342
Signature		Date: 03/24/04 Deposit Account No. 10-0750